

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6014-2024
Date of decision: 20.03.2024

Davinder Kumar JainPetitioner

Versus

State of Punjab and othersRespondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Vikas Kuthiala, Advocate,
for the petitioner.

Mr. Jastej Singh, Deputy Advocate General, Punjab.

ARUN PALLI, J. (Oral)

On March 14, 2024, a Coordinate Bench had passed the
following order:

*“Learned counsel for the petitioner inter-alia
contends that through the impugned order dated
04.08.2023, the Greater Ludhiana Area
Development Authority (GLADA), without issuing
any notice or affording opportunity of hearing to the
petitioner, has cancelled the no objection certificate
granted to the petitioner through its earlier order
dated 26.02.2021.*

Notice of motion for 20.03.2024.

*Mr. Amit Goyal, Addl. AG, Punjab accepts
notice on behalf of respondent No.1.*

*Respondents No.2 & 3 be served through dasti
only.*

Notice re:stay as well.

*Only till the adjourned date, status quo with
regard to the possession and construction on the
property in question shall be maintained.*

To be shown in the urgent list.”

Mr. Rupinder Khosla, learned Senior Advocate, along with Mr. Aman Sharma, Advocate, and Ms. Sital Sharma, Advocate, has caused appearance on behalf of respondents No.2 and 3.

At the outset, he concedes that before passing the impugned order dated 04.08.2023 (P-28), neither the petitioner was served with any notice nor was he afforded any opportunity of hearing. He fairly submits that the impugned order be, therefore, deemed to have been withdrawn/recalled. He further submits that the petitioner or his authorized representative(s) may appear before the Estate Officer, Greater Ludhiana Area Development Authority, on 27.03.2024 (Wednesday) at 11:00 AM, as regards his concerns/grievances. And, after affording due opportunity of hearing to the petitioner, fresh orders, in accordance with law, shall be passed within a period of one week therefrom, and communicated to him. However, he submits that if, in the interregnum, the petitioner carries out any construction at site, that would further complicate the matter and have obvious ramifications.

Learned counsel for the petitioner is agreeable to the course suggested by learned Senior counsel for respondents No.2 and 3, and submits that let this petition be disposed of, in terms of the statement made by him. However, he undertakes that till the fresh order, as indicated above, is passed by the competent authority, the nature and character of the site/land in question shall not be altered.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by the learned counsel for the respondents.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioners, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

20.03.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No